

BOARD OF INQUIRY
HAUĀURU MĀ RAKI WIND FARM PROPOSAL

In the matter of the Resource Management Act 1991

And

In the matter of resource consent applications by Contact Wind Limited in respect of the Hauāuru mā raki Wind Farm Proposal

And

In the matter of notices of requirement and a resource consent application by Contact Energy Limited for transmission infrastructure related to the Hauāuru mā raki Wind Farm Proposal

**FURTHER REBUTTAL EVIDENCE OF ALISTAIR RONALD YATES
RESPONDING TO THE EVIDENCE OF ANGELINE GREENSILL**

Counsel Instructed:
Trevor Robinson
Wellington

Tel 64-4-472 1755. Fax 64-4-472 1766. PO Box 8018 Wellington
trobinson@xtra.co.nz

Solicitor Acting:
H Rosemary Dixon
Contact Energy Limited

Telephone 64-4-462 1284. PO Box 10742, Wellington
rosemary.dixon@contact-energy.co.nz

1. My name is **Alistair (Al) Ronald Yates**. I am the Managing Director of Wind Farm Group Limited (Wind Farm Group) and a director of Contact Wind Limited (Contact Wind).
2. I refer the Board of Inquiry to the statement of my qualifications and experience in my evidence in chief.
3. The purpose of this brief of evidence is to respond to the evidence of Ms Angeline Greensill on behalf of Tainui Awhiro.
4. I was left unclear from Ms Greensill's evidence whether she was speaking for Waikato Tainui or for selected hapu of Waikato Tainui. I had previously understood from discussions with Waikato Tainui that the iwi had no position on our project, and that it was a matter for local hapu to determine their position and communicate it as appropriate to the Board of Inquiry. Following receipt of Ms Greensill's evidence, I therefore contacted a senior representative of Waikato Tainui and it was confirmed that this remains the position.
5. Ms Greensill implies (paragraph 20) that councils generally, and Waikato District and Waikato Regional Councils in particular, have only latterly recognised the importance of relationships with hapu, iwi and tangata whenua and then only because they have been forced to do so. My own experience is rather different. It was officers of Waikato District Council who identified the need for Contact Wind Limited to consult with Tainui Awhiro in 2007 after the Jacksons property (cluster J) had been added to the project, which prompted me to query the Working Party as to the relationship between Ngati Tahinga and Tainui Awhiro and thereafter to endeavour to contact Ms Greensill (as detailed in my evidence in chief).
6. At paragraph 25, Ms Greensill introduces her exhibit 4, a map showing hapu boundaries. I have overlaid this map on a current topographical map to identify where the boundary shown lies in relation to the project footprint and I believe it is consistent with my previous understanding that the northern boundary of Tainui Awhiro and the southern boundary of Ngati Tahinga is in the vicinity of Neilson Road between Clusters I and J of the wind farm footprint. While Neilson Road would not have existed at the time the map produced by Ms Greensill was drawn, the physical boundary was presumably Tauterei Stream which runs close to the modern road alignment.

7. At paragraph 41 of her evidence, Ms Greensill notes opposition of Tainui Awhiro to research of any archaeological sites “in our area”. I note that this has not been the approach of Ngati Tahinga to sites in their area which encompasses, as I understand it, 90%-95% of the wind farm footprint. Secondly, I have difficulty understanding how, if the location and nature of sites are not identified with some precision, effects on them can be avoided or mitigated. I should note also that in the course of consultation with Maori landowners participating in the project, sites of particular cultural sensitivity have been identified on a confidential basis. Contact Wind has both respected that confidentiality and drawn the wind farm footprint to avoid the sites in question.
8. At paragraph 52 of her evidence, Ms Greensill notes that during her visit to the wind farm site in July 2007 she pointed out pits which had not been identified by Contact Wind’s archaeological advisors. The pits in question were outside the wind farm footprint and therefore would not be affected by the proposed development. More generally, I note that the study of archaeological sites has been an interactive process with Contact Wind’s archaeological advisors being assisted by feedback from both Maori landowners participating in the project and the Kaumatua Working Party.
9. At paragraph 53-54, Ms Greensill comments on the extent of information provided to Tainui Awhiro. I note that Tainui Awhiro were provided with a hard copy of the draft Project Description, which was the basis on which all Contact Wind’s expert advisors assessed the project, in early August 2007, along with the detailed archaeological studies undertaken by Dr Clough.
10. Subsequent to the consent application being filed, Ms Greensill asked for a complete hard copy of the application documents and appendices.
11. I provided her with a hard copy of the Applications and accompanying Assessment of Environmental Effects (AEE) on 3 September 2008. The AEE had the technical appendices on CD enclosed and, in an email to me dated 5 September 2008 (**Exhibit ARY 21** attached), Ms Greensill noted that CD copies were fine for her own use, but no use to the majority of the Tainui Awhiro Marae.
12. It is fair to say that I was reluctant to run off multiple copies of the complete set of application documents and appendices (in the order of 3000 pages) for Tainui Awhiro’s use and thereby set a precedent for Contact Wind’s

consultation. In my response (**Exhibit ARY 22** attached) I confirmed that hard copies would be available for perusal on public notification.

13. While it is of course a matter for Tainui Awhiro to decide who they will or will not consult with, and on what terms, I note that Ngati Tahinga were happy to have myself and other Contact Wind representatives on their marae to explain relevant aspects of the project without having received hard copies of the entire application documentation beforehand.

A R Yates

Exhibit ARY 21

Email from Ms Greensill dated 5 September 2008 commenting on suitability of receiving application documents in CD form.

(Overleaf)

Exhibit ARY 22

Letter to Ms Greensill dated 8 September 2008, enclosing copy of folder 1 of the resource consent application and confirming hard copies will be available on public notification.

(Overleaf)